

REMARKS

Claims 14, 17-23 and 25 are currently active.

The Examiner has rejected Claims 14, 17-23 and 25 as being unpatentable over Chiu in view of Fore-Switch Definitions paper. Applicants respectfully traverse this rejection.

Referring to Chiu, there is disclosed an SVC signaling system and method. Chiu teaches no telecommunication service provider designs its system for complete non-blocking capability. The telecommunication service provider makes a trade-off decision what is the provider prepared to pay verses what is the provider prepared to tolerate in terms of block calls or data? Because oversubscription is a common practice in the industry, most DSLAMs provide blocking, thus eliminating all the bandwidth gains achieved while the data makes its way to these DSLAMs. Despite these problems associated with blocking and oversubscription, most industry efforts have not been focused on prioritizing the incoming data into service requirements. The various data received by a DSLAM have specific service requirements which may be affected by the blocking phenomenon. To overcome this problem, quality of service could be implemented to fairly prioritize the various data received by the DSLAM so that some data can be serviced before other data, while at the same time, ensuring that all the data received are somehow fairly serviced. As is known to those skilled in the art,

an unexploited feature of ATM is the ATM forums ATM service categories. Column 4, line 53-column 5, line 14. Accordingly, Chiu teaches a need exists in the industry for a system or method that addresses problems raised by currently known DSLAMs and ATM switches. See column 6, lines 6-8.

Chiu teaches in accordance with one embodiment of the present invention a switching system called intelligent multiservice access system provides DSLAM and ATM functionality in one unit. The major components in the intelligent access system chassis include line cards and chassis switch cards. With the line cards, the access system can be coupled to a plurality of loop technology ports on one side. With the chassis switch cards the access system can be coupled to a plurality of WAN ports on the telecommunications backbone side for connected connectivity to an ATM network. See column 6, lines 12-24.

Thus, the context of Chiu is in regard to an intelligent multiservice access system that provides DSLAM an ATM functionality in one unit. This is what Chiu is concerned about and is focused about.

In relevant part, Chiu teaches a PNNI routing protocol which includes discovery of neighbors and link status; and synchronization of topology databases. PNNI builds the topology database based on information flooded to it by its peer PNNI entities and neighboring

systems. Based on a destination address, PNNI calculates an output port as well as the complete source route to the destination. PNNI concludes two categories of protocols; (1) the protocol is defined for distributing its topology information among switches and clusters of switches. This information is used to compute paths through the network. A key feature of the PNNI hierarchy mechanism is its ability to automatically configure itself in networks in which the address structure reflects the topology. PNNI topology and routing is based on the well-known link-state routing technique. The second category of the protocols is a second protocol defined for signaling. See column 61, lines 18-53. This is all that Chiu teaches in regard to topology management.

Claim 14 has the limitation that "any one switch providing all of the configuration for all of the S switches". It is respectfully submitted that the examiner is reading this limitation into the teachings of Chiu. All that Chiu teaches is that PNNI builds the topology data base based on information flooded to it by its peer PNNI entities and neighboring systems. See column 61, lines 37-39. Thus, Chiu teaches that the topology data base is formed from the information sent to it by its peer PNNI entities. There is no teaching or suggestion that any one switch provides all the configuration information for all of the S switches, as is found in applicants' Claim 14. It is respectfully submitted that it is improper for the Examiner to assume that each switch has all the configuration information for all the other switches from the teachings of Chiu. Chiu does not teach this limitation and nowhere

does it state or teach that any one switch has all the configuration information for all of the S switches, let alone provides all the configuration information for all the of switches. The teachings of Chiu only go as far as to state that the PNNI builds the topology data base from information flooded to it by its peer PNNI entities, where entities it is stressed is in the plural. This means, that Chiu teaches the topology data base is formed from information from many entities, not any one entity, as found in Claim 14.

As the Examiner also recognizes, Chiu fails to teach the limitation that "the configuration information includes a name of the switch, an IP address of the switch, a software version of the switch, and hardware type of the switch".

Chiu also fails to teach or suggest any type of query let alone an SNMP query that the switches send to each other to return retrieved configuration information from each other, and the switches respond to the SNMP queries by sending the requested configuration information to the other switches which sent the SNMP queries, as found in Claim 14.

As explained above, the teachings of Chiu only go as far as to state that the PNNI builds the topology data base based on information flooded to it. See column 61, lines 38. Nowhere does Chiu teach for the PNNI to actually send out queries to any of the other entities for configuration information.

In regard to FORE-Switch-MIB definitions paper, a review of this document simply shows that there may be certain information, although, applicants cannot find specifically the configuration information claimed in Claim 14 of a name of the switch, an IP address, a software version of the switch, and hardware type of the switch, taught in FORE-Switch-MIB definitions paper. Furthermore, nowhere does FORE-Switch-MIB definitions paper teach a topology data base with configuration information, nor any type of mechanism for sending configuration information from the topology database to the network and for receiving configuration information from the network.

Accordingly, the applied art of record fails to teach the limitation in Claim 14 of any one switch providing all the configuration information for all of the S switches.

The applied art of record fails to teach the limitation that the configuration information includes a name of the switch, an IP address of the switch, a software version of the switch, and hardware type of the switch.

The applied art of record fails to teach the limitation that the switches send SNMP queries to each other to return retrieved configuration information from each other, and the switches respond to the SNMP queries by sending the requested configuration information to the switches which sent the SNMP queries.

Referring to Fore-Switch Definitions paper, it is just a list of definitions and nothing more.

It is black letter patent law that teachings cannot be taken out the context in which they are found. As explained above, the context of Chiu has to do with a unique access system to merge DSLAMs and ATM switches. The context of Fore-Switch Definitions paper is literally just definitions regarding ATM for an ATM network. That is all. Basically, these contexts have nothing to do with each other.

Furthermore, there must be some teaching in the references themselves to combine the teachings the examiner is relying upon to arrive at applicants' claimed invention. Here there is no teaching. Fore-Switch Definitions paper is simply a list of definitions. Chiu is not concerned with all the different features listed in the definitions in Fore-Switch Definitions paper. There is no teaching or suggestion, let alone any indication or need that Chiu needs any feature listed in the definitions of Fore-Switch Definitions paper, other than that which is already identified in Chiu. This follows, because the purpose of Chiu is being able to better deal with DSLAMs and ATM switches, and not the problem of applicants' claimed invention which is handling all network configuration information accessible from a single location as found on page 1, lines 10 and 11 of applicants' specification.

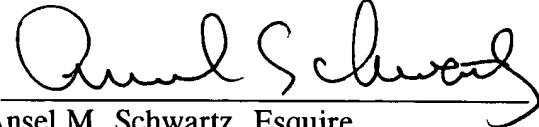
What is more, it is respectfully submitted the examiner is using hindsight to arrive at applicants' claimed invention. The Examiner is using applicants' claims as a road map to find all the different limitations in different references, and having found them concludes that applicants' claimed invention is arrived at. This is not patent law. Furthermore, the Examiner is using this simple fact that Fore-Switch Definitions paper is just a list of definitions to prepare essentially any argument he desires because there are no additional teachings to identify the context and limit the use of the reference. Simply speaking, just because there are a list of definitions that appeared to have some of the features from applicants' claimed invention, in Fore-Switch Definitions paper, does not anywhere provide the basis to combine the teachings of Fore-Switch Definitions paper with the teachings of Chiu.

Accordingly, Claim 14 is patentable over the applied art of record. Claims 17, 18 and 22 are patentable for the reasons Claim 14 is patentable.

In view of the foregoing amendments and remarks, it is respectfully requested that the outstanding rejections and objections to this application be reconsidered and withdrawn, and Claims 14, 17-23 and 25, now in this application be allowed.

Respectfully submitted,

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